

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:06-CR-438 CAS
)
BERNARD HATLEY,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on defendant Bernard Hatley's pro se Motion for Early Termination of Supervised Release. For the following reasons the motion will be denied without prejudice.

On February 20, 2007, Mr. Hatley was sentenced to 60 months imprisonment and a 36-month term of supervised release on the charge of possession of a firearm in relation to a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1). Mr. Hatley completed his sentence and has been on supervised release since August 19, 2011. Defendant's supervised release is set to expire on August 18, 2014.

The United States Probation Office opposes the early termination of supervised release because Mr. Hatley has moved three times since beginning supervision, and his residence is considered somewhat unstable. In addition, Mr. Hatley was arrested for assault, although he did complete anger management counseling. Also, Mr. Hatley has twice failed to report for required drug testing, and he failed to turn in three written monthly reports in a timely manner. The probation office believes that additional supervision is necessary to continue to monitor Mr. Hatley's overall adjustment to the community. The Court finds that Mr. Hatley's request for early termination of his

supervised release should be denied without prejudice at this time. Mr. Hatley may refile a motion for early termination of supervised release in twelve months if in full compliance with all conditions of supervision.

Accordingly,

IT IS HEREBY ORDERED that Bernard Hatley's pro se Motion for Early Termination of Supervised Release is **DENIED without prejudice**. [Doc. 37]

IT IS FURTHER ORDERED that Bernard Hatley may refile a motion for early termination of supervised release in twelve months if in full compliance with all conditions of supervision.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 27th day of November, 2012.